

PUBLIC ACTS, 1999

CHAPTER NO. 473

HOUSE BILL NO. 454

By Representatives McDonald, Black, Bone, Davidson, Fowlkes, Arriola, West, Hargett, Pleasant

Substituted for: Senate Bill No. 444

By Senators Graves, Cohen

AN ACT to amend Tennessee Code Annotated, Title 47, Chapter 18, Part 1, relative to telephone listings that misrepresent a business name and location.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 47-18-103, is amended by adding the following language as new, appropriately designated subsections:

() "Local telephone directory" means a telephone directory that is distributed by a telephone company or directory publisher to subscribers located in the local exchanges contained in the directory. Such term includes:

(1) A classified advertising directory, commonly referred to as the yellow pages, and/or;

(2) A directory of individual phone listings, commonly referred to as the white pages, whether identified as the "business listings" or combined listings of residences and businesses in a directory which does not have a separate residence and business listing; and

(3) A directory that includes listings of more than one (1) telephone company.

() "Local telephone number" means a telephone number that has the three (3) number prefix used by the provider of telephone service for telephones physically located within the area covered by the local telephone directory in which the number is listed. The term does not include long distance numbers or 800-, 888-, or 900- exchange numbers listed in a local telephone directory.

SECTION 2. Tennessee Code Annotated, Section 47-18-104(b), is amended by adding the following language as a new, appropriately designated subdivision:

() The act of misrepresenting the geographic location of a florist by listing a fictitious business name or an assumed business name in a local telephone directory if:

(A) the name misrepresents the florist's geographic location; or

(B) the listing fails to identify the locality and state of the florist's business; and

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(C) calls to the local telephone number are routinely forwarded or otherwise transferred to a florist's business location that is outside the calling area covered by the local telephone directory;

(D) the florist's business location is located in a county that is not contiguous to a county in the calling area covered by the local telephone directory; and

(E) The florist does not have a business location or branch, or an affiliate, subsidiary, or agent of the florist does not have a business location or branch, in the local calling area or county contiguous to the local calling area.

The provisions of this section shall not apply to a telecommunications service provider or to the publisher or distributor of a local telephone directory unless such act is on behalf of such telecommunications service provider or on behalf of the publisher or distributor of such local telephone directory.

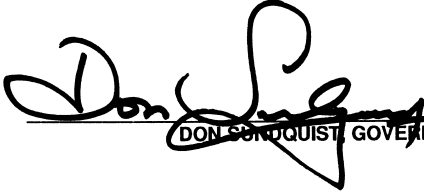
SECTION 3. This act shall take effect July 1, 1999 the public welfare requiring it.

PASSED: May 26, 1999


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 17th day of June 1999


DON SUNDQUIST, GOVERNOR